

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 1236 - SB 1526

March 17, 2023

SUMMARY OF BILL: Enacts the *Demilitarization of Police Act*.

Requires, when seeking to acquire property or a firearm, as defined in federal law and including, but not limited to, machine guns, armored vehicles, night vision scopes, camouflage fatigues, and flash bang grenades, through a United States Department of Defense program, a state law enforcement agency to provide at least 90 days' written notice to the Joint Government Operations Committee (Committee) of the General Assembly. Requires the Committee to make a recommendation to the Department of Safety (DOS) as to whether to approve or disapprove the request, in whole or in part, as soon as practicable. Requires the DOS to review the notice and recommendation as soon as practicable. Authorizes the DOS to approve the request in whole or in part.

Requires, in the same circumstances, a local law enforcement agency to provide such a notice to the governing body of the jurisdiction that funds the agency. Requires the local governing body to approve or disapprove the request in whole or in part by adoption of a resolution as soon as practicable.

Requires, on or before October 1, 2023, each law enforcement agency to create an inventory of all property, including, but not limited to, firearms, as defined in federal law, machine guns, armored vehicles, night vision scopes, camouflage fatigues, and flash bang grenades that the agency has acquired through a United States Department of Defense program and still possesses. Requires, for each item in the inventory, the agency to describe the demonstrated need to possess that property, the training that is provided for officers to use that property, and the annual storage and maintenance costs to keep the property.

Requires a state law enforcement agency to submit a report of such inventory to the Committee. Requires the Committee to make a recommendation to the DOS as to whether to approve or disapprove the inventory, in whole or in part, as soon as practicable. Requires the DOS to review the inventory and recommendation as soon as practicable. Authorizes the DOS to approve the inventory in whole or in part.

Requires a local law enforcement agency to submit a report of such inventory to the governing body of the jurisdiction that funds the agency. Requires the local governing body to review the inventory as soon as practicable. Authorizes the governing body to approve or disapprove the inventory in whole or in part by adoption of a resolution.

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Requires inventory disapproved for use to be transferred to the Department of General Services (DGS) for disposal in accordance with the *State Surplus Personal Property Act of 1976* and applicable federal law.

FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- It is assumed that state and local law enforcement agencies can comply with the requirements of the proposed legislation by providing the written notices and submitting the inventory report to the relevant authorities as required utilizing existing resources.
- The Committee meets throughout the year and can perform its proposed duties in the normal course of business utilizing existing resources.
- It is assumed that the Committee, the DOS, and all relevant local governing bodies will not approve or disapprove of any requests for property or retention of inventory without duly considering the fiscal impacts to state and local government.
- Based on information provided by DOS, any fiscal impacts to the department related to approving requests and inventory are estimated to be not significant.
- It is assumed the DGS can dispose of any surplus property in the normal course of business utilizing existing resources.
- The Department of Military states that the proposed legislation will have no fiscal impact on the department.
- Any fiscal impact to state or local government is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista Lee Carsner, Executive Director

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